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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,200	03/13/2001	Stephen H. Pettigrew	PET1P001A	4219
28875	7590 04/22/2003			
SILICON VALLEY INTELLECTUAL PROPERTY GROUP			EXAMINER	
P.O. BOX 721120 SAN JOSE, CA 95172-1120		VAI	HUNTER, ALVIN A	
			ART UNIT	PAPER NUMBER
			3711 DATE MAILED: 04/22/2003	15

Please find below and/or attached an Office communication concerning this application or proceeding.

<ul> <li>37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> <li>1. □ A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.</li> <li>2. □ The proposed amendment(s) will not be entered because: <ul> <li>(a) □ they raise new issues that would require further consideration and/or search (see NOTE below);</li> <li>(b) □ they raise the issue of new matter (see Note below);</li> <li>(c) □ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</li> <li>(d) □ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE:</li> </ul> </li> <li>3. □ Applicant's reply has overcome the following rejection(s):</li> </ul>		Application No.	Applicant(s)			
Examiner Art Unit Art Hunter 3711  -The MAILING DATE of this communication appears on the cover sheet with the correspondence address The REPLY FILED 14 April 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) a timely filed damendment which places the application in condition for allowance; (2) a timely filed McIotic of Appeal (with appeal fee); or (3) a timely filed McIotic of Appeal (with appeal fee); or (3) a timely filed McIotic of Appeal (with appeal fee); or (3) a timely filed McIotic of Appeal (with appeal fee); or (3) a timely filed McIotic of Appeal (with appeal fee); or (3) a timely filed McIotic of Appeal (with appeal fee); or (3) a timely filed McIotic of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.1146 with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.1169 (a) the date of the final rejection.  ONLY OFFICK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MFEP  There have been filed is the date for purposes of determining the period of ostenenon and the corresponding amount of the final rejection. Only of the purposes of determining the period of ostenenon and the corresponding amount of the final rejection.  The proposed amendment of 27 CFR 1.1369 (b) the date on which the patition under 37 CFR 1.1369 (a) the date proposed appeal was filed on	Advisory Action	09/808,200	PETTIGREW ET AL.			
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Claim(s) rejected: <a href="mailto:21-26">21-26</a> , <a href="mailto:30-35">30-35</a> , <a href="mailto:and-38">and 38</a> .  Claim(s) withdrawn from consideration:  8.	Claim(s) allowed:					
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<u> </u>						
Paul T. Seweil Supervisory Patent Examinêr  Group 3700		Sup	ervisory Patent Examinêr			

Continuation of 5. does NOT place the application in condition for allowance because: The applicant argues that the usage of the Johnson reference in place of the OFFICIAL NOTICE taken October 24, 2002 is not analogous. The examiner respectfully disagrees. "I order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either being in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concern." In re Oetiker, 977 F.2d 1443, 1446. Johnson is analogous because it deals with the problem of how to teach the user to improve their play --by using text to indicate what the user should do. The applicant uses text to tell the user where to hit the ball, improving their play. One having ordinary skill in the art would have clearly found it obvious to use text to teach the user how to improve his/her golf game. The applicant cited 2141(a) in which the above is disclosed.